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MB

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, : X  
:  
:  
- v. - :  
:  
:  
:  
JOSEPH PERCOCO, : 16-CR-776 (VEC)  
a/k/a "Herb," :  
PETER GALBRAITH KELLY, JR., : VERDICT FORM  
STEVEN AIELLO, :  
JOSEPH GERARDI, :  
:  
:  
Defendants. : X  
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*All jurors must agree on the answers to all of the questions. Please indicate your verdict with a check mark (✓).*

**COUNT ONE:**

On the charge of conspiracy to commit extortion under color of official right, we the jury find the Defendant JOSEPH PERCOCO:

Not Guilty  Guilty

*If you find the Defendant JOSEPH PEROCOCO guilty of Count One, you must answer the following question:*

The object of the conspiracy charged in Count One was to commit extortion under color of official right by obtaining payments from:  
*(check one)*

CPV

COR Development

## Both CPV and COR Development

**COUNT TWO:**  
**Extortion Under Color of Official Right**

On the charge of extortion under color of official right, we the jury find the Defendant JOSEPH PERCOCO:

Not Guilty  Guilty \_\_\_\_\_

**COUNT THREE:**

On the charge of conspiracy to commit honest services wire fraud as to the alleged CPV scheme, we the jury find the Defendant JOSEPH PERCOCO:

Not Guilty \_\_\_\_\_ Guilty  ✓

On the charge of conspiracy to commit honest services wire fraud as to the alleged CPV scheme, we the jury find the Defendant PETER GALBRAITH KELLY, JR.:

Not Guilty \_\_\_\_\_ Guilty \_\_\_\_\_ DEAD LOCK

**COUNT FOUR:**  
**Conspiracy to Commit Honest Services Wire Fraud**

On the charge of conspiracy to commit honest services wire fraud as to the alleged COR Development scheme, we the jury find the Defendant JOSEPH PEROCO:

Not Guilty \_\_\_\_\_ Guilty  ✓

On the charge of conspiracy to commit honest services wire fraud as to the alleged COR Development scheme, we the jury find the Defendant STEVEN AIELLO:

Not Guilty \_\_\_\_\_ Guilty

On the charge of conspiracy to commit honest services wire fraud as to the alleged COR Development scheme, we the jury find the Defendant JOSEPH GERARDI:

Not Guilty ✓ Guilty \_\_\_\_\_

**COUNT FIVE:**  
**Solicitation of Bribes or Gratuities**

On the charge of solicitation of bribes or gratuities as to the alleged CPV scheme, we the jury find the Defendant JOSEPH PERCOCO:

Not Guilty \_\_\_\_\_ Guilty

**COUNT SIX:**  
**Solicitation of Bribes or Gratuities**

On the charge of solicitation of bribes or gratuities as to the alleged COR Development scheme, we the jury find the Defendant JOSEPH PERCOCO:

Not Guilty  Guilty \_\_\_\_\_

**COUNT SEVEN:**  
**Payment of Bribes or Gratuities**

On the charge of payment of bribes or gratuities as to the alleged CPV scheme, we the jury find the Defendant PETER GALBRAITH KELLY, JR.:

Not Guilty \_\_\_\_\_ Guilty \_\_\_\_\_ **DEADLOCKED**

**COUNT EIGHT:**  
**Payment of Bribes or Gratuities**

On the charge of payment of bribes or gratuities as to the alleged COR Development scheme, we the jury find the Defendant STEVEN AIELLO:

Not Guilty  Guilty \_\_\_\_\_

On the charge of payment of bribes or gratuities as to the alleged COR Development scheme, we the jury find the Defendant JOSEPH GERARDI:

Not Guilty  Guilty \_\_\_\_\_

**COUNT NINE:  
False Statements**

On the charge of making false statements, we the jury find the Defendant STEVEN AIELLO:

Not Guilty ✓      Guilty \_\_\_\_\_

## COUNT TEN: False Statements

On the charge of making false statements, we the jury find the Defendant JOSEPH GERARDI:

Not Guilty  Guilty

*You are finished. The foreperson should ensure that each juror agrees with the answer to each question. If so, the foreperson should date and sign below.*

Dated: 3/13, 2018 at 11:45 a.m./p.m.

Frank J. Hartley  
Foreperson